UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,968	02/08/2002	Masoud Loghmani	43459	9943

7590	05/04/2005

Stacey J. Longanecker
Roylance, Abrams, Berdo & Goodman, L.L.P.
Suite 600
1300 19th Street, N.W.
Washington, DC 20036

EXAMINER
PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/067,968	LOGHMANI, MASOUD
	Examiner	Art Unit	
	Joseph T. Phan	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *12/16/04*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 1-2, 9, and 18 rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 1 line 9 recites "the client interface" which is unclear as to what the phrase

is referring to as lines 3 and line 11 recites "one or more client devices" but line 9 recites

"the client interface". There are multiple client interfaces including an information site,

application site, client devices, client interaction sessions, and data source interaction

sessions. Therefore this renders the claim indefinite. Appropriate clarification or

correction is required.

Claims 1 and 19 lines 6-7 recites "...comprising at least one of the information

site and the application site in multiple phases..." This phrase is unclear and has

grammatical errors as it appears the 'sites' comprises of multiple phases which is not

enabled. Appropriate clarification or correction is required.

Claim 2 line 3 recites the phrase "...devices in during respective ones..." which is

unclear and grammatically incorrect rendering the claim confusing and indefinite.

Appropriate clarification or correction is required.

Claim 9 line 13 recites "the client interface" which is unclear as to what the

phrase is referring to as there is no antecedent basis. "the client interface could relate to

"a user device, a user interface module, or a client interaction session in lines 1,5,7, and

11.

Claim 9 has apparent grammatical errors which makes the claim confusing and

unclear. Lines 13-16 recites multiple "*,the*" terminology in which the commas are used

in different ways and makes the flow confusing, since there are a plurality of breaks in

the claim flow, colons, semi-colons and commas should be used appropriately(e.g. "*;the*

data source ;the transaction session data). The commas used in line 16 are used

correctly since they are related items.

Lines 17-20 recites "to establish, ...to access ..., to associate..., and to map..." which

create run-on sentences and makes the claim confusing as for example "to associate

user id" in line 18 could relate back to the phrase "employed by the client device" in line

17.

Claim 18 lines 9-10 recites "*,the transaction session data comprising*" Since

the flow of commas are used in a similar method, this phrase is confusing and unclear if

it relates back to the "session management gateway" or if it is part of the NOR usage.

Appropriate clarification or correction is required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-21 rejected under 35 U.S.C. 103(a) as being unpatentable over

Maloney et al., Patent #5,555,299.

Regarding claim 1, Maloney teaches, as best understood due to the 112 issues

above, a software-based method that allows callers to access an information site or an

application site by one or more client devices comprising a telephone, a mobile phone

and a data device *(12 Fig.2; a standard landline telephone is mobile as you can walk*

around while using it), the method comprising the steps of performing a transaction

session by accessing a data source comprising at least one of the information site and

the application site in multiple phases, the transaction session comprising at least one

client interaction session and a data source interaction session the client interaction

session comprising a data access session with the client interface the data source

interaction session comprising a session with business logic corresponding to the data

source, the multiple phases comprising different client interaction sessions via the one

or more client devices to participate in at least part of the transaction session(100 Fig.5

and col.9 lines 1-12);

  storing session data relating, to the transaction session in a memory device the

session data comprising user identification data for associating the transaction session

to a user participating in the transaction session(118 Fig.5) the session data being

saved at different steps of the transaction session and using the stored session data to

allow the user to drop a call constituting one of the multiple phases, and call back at a

later time to continue the transaction session with one of the in formation site and the

application site during another one of the multiple phases*(col.7 lines 1-42 and col.9*

lines 25-67; the call is put on hold/dropped then a separate agent call is performed so the user can continue with transactions).

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have application and information sites on the internet. Retrieving information from these sites are old and well-known since it offers the user more flexibility in accessing a plethora of useful applications(e.g. calling amazon.com or buy.com to order products). Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the internet. Therefore having information sites on the internet is not novel.

Regarding claim 2, Maloney teaches a system as claimed in claim 6, wherein callers access the system using plurality of different devices in during respective ones of the multiple phases of interaction *(col.7 lines 1-42 and col.9 lines 10-67;callers uses a phone and interactive computer to access the system).*

Regarding claim 3, Maloney teaches a system as claimed in claim 6, wherein each user accessing the system is identified using at least one of a combination of username and password, a pin and pass-code, cookie information, and other identification technique available through the use of the client device(col.9 lines 1-67).

Regarding claim 4, Maloney teaches a method as claimed in claim 1, wherein the
session data allows the user to continue the transaction session at substantially the
same point during the transaction session where the call was earlier dropped or data
contact was terminated*(col.9 lines 1-67; the user's continuation is substantially the
same point where the data contact was terminated at the first CC).*

Regarding claim 5, Maloney teaches a method as claimed in claim 1, wherein the
storing step comprises the step of storing session data in a memory device
corresponding to a session management gateway connected downstream of the
information site or the application site via the internet and upstream of the client
devices(Fig.2 and col.9 lines 1-67).

Regarding claim 6, Maloney teaches a method as claimed in claim 5, wherein the
storing step comprises the step of storing the session data in the memory device
independently of the information site, the application site, the business logic, a back end
data server, the client device, and the access medium employed by the client device to
establish an interaction session to access the session management gateway(col.9 lines
1-67).

Regarding claim 7, Maloney teaches a method as claimed in claim 5, wherein the
session data is retained in the memory device even during the absence of the user
device being connected to the session management gateway(col.9 lines 1-67).

Regarding claim 8, Maloney teaches a method as claimed in claim 7, wherein the
session management gateway maintains the transaction session with the data source
for a selected period of time after a client interaction session between the information

site or the application site and a user device is dropped, and a subsequent client

interaction session initiated to participate in the transaction session with the data source

is mapped to the transaction session by the session management gateway(col.9 lines 1-

67).

Regarding claim 9, Maloney teaches a system for managing access of a user

device to a data source comprising at least one of an information site and an application

site comprising:

a session management gateway connected downstream of the data source via the

internet and upstream of a user device(14 Fig.2); and

a memory device read from and written to by the session management gateway and not

by a user interface module, nor the user device, nor a back end data server, nor the

data source*[14 Fig.2; PBX/ACD is not the user interface module or the data source]*;

wherein the session management gateway is programmable to store transaction

session data in the memory device that relates the user to a transaction session with

the data source, the transaction session comprising at least one client interaction

session and a data source interaction session, the client interaction session comprising

a data access session with the client interface, the data source interaction session

comprising a session with business logic corresponding to the data source, the

transaction session data being stored independently of the information site, the

application site, the business logic, a back end data server, the client device, and the

access medium employed by the client device to establish an interaction session to

access the session management gateway for participation in the transaction session, to

associate user identification data corresponding to the user with the transaction session

data for that user, and to map any subsequent interaction sessions initiated by the user

using the user device or another device with the transaction session by using the user

identification data after the user has identified himself*(Fig.2, col.7 lines 1-42 and col.9*

lines 1-67).

Maloney does not expressly disclose the application and information site is on

the internet.

Maloney does however utilizes application and information sites that are remote

from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have

application and information sites on the internet. Retrieving information from these sites

are old and well-known since it offers the user more flexibility in accessing a plethora of

useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the

internet. Therefore having information sites on the internet is not novel.

Regarding claim 10, Maloney teaches a system as claimed in claim 9, wherein

the data source comprises a single application and the session management gateway

interacts with the single application for the transaction session, and the system is

operable to support multiple phases with respect to the transaction session, the multiple

phases comprising different client interaction sessions via the one or more user devices

to participate in at least part of the transaction session, the user device being a

telephone in one phase, and a data device in another phase*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 11, Maloney teaches a system as claimed in claim 9, wherein the session management gateway is operable to store transaction session data corresponding to plural transaction sessions in the memory device independently of the information site, the application site, a back end data server, the business logic, the client device, and the access medium employed by the client device to establish an interaction session to access the session management gateway to avoid being application-specific*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 12, Maloney teaches a system as claimed in claim 9, wherein the transaction session data is retained in the memory device even during the absence of the user device being connected to the session management gateway*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 13, Maloney teaches a system as claimed in claim 12, wherein the session management gateway maintains the transaction session with the data source for a selected period of time after an client interaction session between the data source and a user device is dropped, and a subsequent client interaction session initiated to participate in the transaction session with the data source is mapped to the transaction session by the session management gateway*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 14, Maloney teaches a system as claimed in claim 9, wherein the transaction session data is retained in the memory device a predetermined period of

time and then deleted therefrom if no other phases or client interaction sessions are

commenced during the predetermined period of time*(Fig.2, col.7 lines 1-42 and col.9*

lines 1-67).

Regarding claim 15, Maloney teaches a system as claimed in claim 9, wherein

the transaction session data is saved to the memory device at different events in the

transaction*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 16, Maloney teaches a system as claimed in claim 9, further

comprising at least one other session management gateway being configured to access

the memory device and to store transaction session data therein*(Fig.2, col.7 lines 1-42*

and col.9 lines 1-67).

Regarding claim 17, Maloney teaches a system as claimed in claim 16, wherein

the session management gateways connected to the memory device are operable to

maintain respective phases comprising client interaction sessions in the same

transaction session*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 18, Maloney teaches a method for managing access of a user

device to a data source comprising at least one of an information site and an application

site comprising the steps of: establishing a first client interaction session with a session

management gateway connected downstream of the data source via the internet and

upstream of the user device to initiate a transaction session with the data source;

storing transaction session data relating to the transaction session in a memory device

read from and written to by the session management gateway and not the user

interface, nor the user device, nor a back end data server, nor the data source, the

transaction session data comprising user identification data for associating the

transaction session to a user participating in the transaction session, the transaction

session data being saved at different steps of the transaction session; terminating the

first client interaction session; initiating a second client interaction session at the user

device or another device wherein the user provides user identification data to the

session management gateway; and mapping the second client interaction session with

the transaction session by using the user identification data after the user has identified

himself*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Maloney does not expressly disclose the application and information site is on

the internet.

Maloney does however utilizes application and information sites that are remote

from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have

application and information sites on the internet. Retrieving information from these sites

are old and well-known since it offers the user more flexibility in accessing a plethora of

useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the

internet. Therefore having information sites on the internet is not novel.

Regarding claim 19, Maloney teaches a computer-readable storage device

operable to store transaction session data relating to transaction sessions, the

transaction sessions comprising data access sessions to access a data source selected

from an information site and an application site in multiple phases, the transaction

session comprising at least one client interaction session and a data source interaction

session, the client interaction session comprising a data access session with the client

interface, the data source interaction session comprising a session with business logic

corresponding to the data source, the transaction session data being stored

independently of the information site, the application site, the business logic, the client

device, and the access medium employed by the client device to establish an

interaction session to participate in the transaction, the multiple phases comprising

different client interaction sessions via the one or more client devices to participate in at

least part of the transaction session, the transaction session data comprising user

identification data for associating the transaction session to a user participating in the

transaction session, the transaction session data being saved by the computer-readable

storage device at different steps of the transaction session*(Fig.2, col.7 lines 1-42 and

col.9 lines 1-67).*

Maloney does not expressly disclose the application and information site is on

the internet.

Maloney does however utilizes application and information sites that are remote

from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have

application and information sites on the internet. Retrieving information from these sites

are old and well-known since it offers the user more flexibility in accessing a plethora of

useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the

internet. Therefore having information sites on the internet is not novel.

Regarding claim 20, Maloney teaches a computer-readable storage device as

claimed in claim 19, wherein the computer-readable storage device is operable with a

session management gateway connected downstream of the data source and upstream

of the client devices, the session management gateway being operable to manage the

transaction sessions independently of the data source, the business logic, the client

devices and access medium employed by the client devices, and the transaction

session data is retained in the computer-readable storage device even during the

absence of the user device being connected to the session management gateway*(Fig.2,*

col.7 lines 1-42 and col.9 lines 1-67).

Regarding claim 21, Maloney teaches a computer-readable storage device as

claimed in claim 19, wherein the transaction session data is retained in the

computer-readable storage device for a predetermined period of time and deleted

therefrom of no phases or client interaction sessions are commenced during the

predetermined period of time*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67).*

Response to Arguments

3.   Applicant's arguments with respect to claims 1-3 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-

7544. The examiner can normally be reached on M-TH 9:00-6:30, in every other

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JTP
April 27, 2005

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600